

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Eric Mathews et al.  
Serial No. : 10/509,713  
Filed : October 1, 2004  
Title : TEMPERATURE-CONTROLLED ACTUATOR

**MAIL STOP PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371  
mailed March 24, 2005, Applicant as a small entity submits herewith the following:

- Payment of the surcharge of \$65 for late filing of the basic filing fee and/or declaration.
- A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: May 6, 2005

  
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May 6, 2005

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/509,713.	Eric D Mathews	12090-004US1

INTERNATIONAL APPLICATION NO.
PCT/US03/10140

26161  
 FISH & RICHARDSON PC  
 225 FRANKLIN ST.  
 BOSTON, MA 02110

Received by U.S. Patent and Trademark Office  
 Date: 10/24/04  
 File No.: 12090-004US1  
 Application No.: 10/509,713  
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I.A. FILING DATE	PRIORITY DATE
04/02/2003	04/04/2002

CONFIRMATION NO. 8357  
 371 FORMALITIES LETTER  
 \*OC000000015546778\*  
 \*OC000000015546778\*

Date Mailed: 03/24/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/01/2004
- Copy of the International Search Report filed on 10/01/2004
- Information Disclosure Statements filed on 10/01/2004
- U.S. Basic National Fees filed on 10/01/2004
- Priority Documents filed on 10/01/2004

ocketed By Billing Secretary  
 Due Date: 3-24-05  
 Deadline: 10-24-05  
 Initials: J

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

RECEIVED

MAR 28 2005

FISH & RICHARDSON, P.C.  
 BOSTON OFFICE

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/509,713	PCT/US03/10140	12090-004US1

FORM PCT/DO/EO/905 (371 Formalities Notice)